# UNITED STATES DISTRICT COURT WESTERN DISTRICT OF TEXAS – AUSTIN DIVISION

JEREMY STORY, Plaintiffs, SUPERINTENDENT HAFEDH AZAIEZ, TRUSTEES AMBER FELLER, TIFFANIE HARRISON, AMY WEIR, JUN XIAO, CORY VESSA; OFFICERS JEFFREY YARBROUGH, JAMES WILLIBY, DEBORAH GRIFFITH, MILTON POPE, FRANK PONTILLO, RON COLE, CHIEF DENNIS WEINER, and CARLA AMACHER, individually, and ROUND ROCK INDEP. SCHOOL DISTRICT,

CIVIL ACTION NO. 1:22-cv-00448-DAE

Defendants.

# ROUND ROCK INDEPENDENT SCHOOL DISTRICT DEFENDANTS' UNOPPOSED MOTION TO EXTEND TIME TO RESPOND TO PLAINTIFF'S SETTLEMENT DEMAND

Defendants Round Rock Independent School District ("Round Rock ISD" or the "District"), Superintendent Dr. Hafedh Azaiez, Trustees Amber Feller Landrum, Tiffanie Harrison, and Amy Weir, former Trustees Jun Xiao and Cory Vessa, and current and former District police department personnel Jeffrey Yarbrough, James Williby, Lauren Griffith (incorrectly named Deborah Griffith), Milton Pope, and Frank Pontillo (collectively the "Round Rock ISD Defendants"), move the Court to grant their Unopposed Motion to Extend Time to Respond to Plaintiff Jeremy Story's ("Story") Settlement Demand (the "Motion"). In support of this unopposed Motion, the Round Rock ISD Defendants would respectfully show the Court the following:

1. On February 15, 2024, this Court issued its Scheduling Order (Dkt. 65), in which it established deadlines for submitting and responding to written offers of settlement.

2. On February 26, 2024, counsel for Story submitted a written offer of settlement to counsel for the Round Rock ISD Defendants.

3. Under the Scheduling Order, the Round Rock ISD Defendants' deadline to respond to Story's settlement offer is March 11, 2024.

4. Round Rock ISD's next Board of Trustees meeting is scheduled for March 21, 2024.¹ Due to statutory requirements under the Texas Open Meetings Act, counsel for the Round Rock ISD Defendants cannot consult with the Round Rock ISD Board of Trustees regarding Story's settlement offer before that date. *See* TEX. GOV'T CODE § 551.071. As a result, the Round Rock ISD Defendants seek a fourteen-day extension until March 25, 2024, to respond to Story's written settlement offer so that their counsel may consult with the Round Rock ISD Board of Trustees in

5. This is the Round Rock ISD Defendants' first request for an extension of this deadline. The Round Rock ISD Defendants do not request this extension for purposes of undue delay, but so that justice may be done.

- 6. Counsel for the Round Rock ISD Defendants conferred with Story's counsel regarding the relief sought in this Motion. Story's counsel advised that he was unopposed to the relief requested in this Motion.
- 7. If this Motion is granted, the new deadline for the Round Rock ISD Defendants to respond to Story's settlement offer will be March 25, 2024.

WHEREFORE, the Round Rock ISD Defendants pray that the Court grant this Unopposed Motion to Extend Time to Respond to Plaintiff's Settlement Demand and extend the deadline for the

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executive session on March 21, 2024.

<sup>&</sup>lt;sup>1</sup> See Round Rock ISD's Board of Trustees meeting schedule. <a href="https://roundrockisd.org/about-rrisd/board-of-trustees/board-meetings/">https://roundrockisd.org/about-rrisd/board-of-trustees/board-meetings/</a>

Round Rock ISD Defendants to respond to Plaintiff Jeremy Story's settlement offer to March 25, 2024.

Respectfully submitted,

/s/ Adam Rothey

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Attorneys for the Round Rock ISD Defendants

### **CERTIFICATE OF CONFERENCE**

The undersigned hereby certifies that he has conferred with Plaintiff Jeremy Story's counsel, Warren Norred, regarding this Motion and the relief requested in this Motion. Mr. Norred indicated that he does not oppose this Motion or the requested relief.

/s/ Adam Rothey

K. Adam Rothey

# **CERTIFICATE OF SERVICE**

The undersigned certifies that on March 7, 2024, a true and correct copy of this document has been served upon all parties via the Court's electronic filing system:

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/s/ Adam Rothey

K. Adam Rothey